

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

| | | |
|--------------------------|---|--------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| v. |) | 3:06cr31-WKW |
| |) | |
| MICHAEL SMITH |) | |

PRETRIAL CONFERENCE ORDER

A pretrial conference was held on February 27, 2006 before the undersigned Magistrate Judge. Present at this conference were Jennifer Hart, counsel for the defendant, and Assistant United States Attorney Verne Speirs, counsel for the government. As a result of the conference, it is hereby ORDERED as follows:

1. Jury selection is set for June 26, 2006. The trial of this case is set during the trial term commencing on June 26, 2006 before United States District Judge William Keith Watkins and is expected to last 1 ½ days.
2. There are no motions currently pending.
3. Proposed voir dire questions shall be filed on or before June 19, 2006. Counsel should not include questions seeking information which is provided in the jury questionnaire.
4. All motions in limine shall be filed on or before June 19, 2006. Motions in limine must be accompanied by a brief. Failure to file a brief will result in denial of the motion.

5. Proposed jury instructions shall be filed on or before June 19, 2006.
6. The court will not consider a plea pursuant to Rule 11(c)(1)(A) or (C) unless notice is filed on or before noon on June 14, 2006 . The government and defendant are informed that if a defendant waits until the last minute to enter a plea, and if that plea, for whatever reason, is not accepted by the court, the defendant and the government will be expected to be prepared to go to trial on June 26, 2006. The court will not continue the trial of this case as to any defendant because a defendant's plea was not accepted. In other words, the defendant and the government should not wait until the last minute for a defendant to enter a guilty plea, and both the defendant and the government should all be ready to go to trial on June 26, 2006, as to all defendants, even though a particular guilty plea was not accepted by the court.
7. This case is set for a second pretrial conference on June 2, 2006 at 3:00 p.m. in Courtroom 5B.

DONE, this 2nd day of March, 2006.

/s/ Susan Russ Walker
SUSAN RUSS WALKER
UNITED STATES MAGISTRATE JUDGE